IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1345 OF 2007

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Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

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Shri P.B.Shah and Shri Salunkhe for the Petitioners.

CORAM : ABHAY S.OKA, J.
DATED : JUNE 05, 2007.

P.C.:

1. Heard learned Advocate appearing for the Petitioners. By this Petition under Article 227 of the Constitution of India, the Petitioner has taken an exception to the order passed by the learned trial Judge on 02nd February, 2007 below Applications at Exhibit 77, 88, 90 and 148.

2. The learned counsel appaering for the Petitioners relies upon a decision of the learned single Judge of this Court in the case of Ramchandra Bhikaji Jagtap Vs. Dubharam Langruji Padvekar (2004 (1) Maharashtra Law Journal Page 278).

3. The effect of the impugned order is that Applications made by the Petitioners for appointing

a Survey Officer under the Maharashtra Land Revenue Code, 1966 as a Court Commissioner have been rejected. The order impugned is purely of interlocutory nature which is capable of being challenged in an Appeal which may be preferred by the Petitioner for challenging the decree passed in the suit. Only on this ground, Writ Petition is not entertained. Subject to what is stated above, Writ Petition is rejected.

JUDGE